

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

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In the Matter of	)	
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<b>WINSOME PAGING, INC.</b>	)	File No. EB-01-IH-0017u
<b>OCN# 6918</b>	)	NAL/Acct. No. 200132080052
	)	FRN 0002-8626-21
	)	0003-3006-21
	)	

**FORFEITURE ORDER**

**Adopted:** May 8, 2002

**Released:** May 10, 2002

By the Chief, Enforcement Bureau:

**I. INTRODUCTION**

1. In this Forfeiture Order, we find that Winsome Paging, Inc. (“Winsome”) violated 47 C.F.R. § 52.15(f) by willfully failing to report its number utilization and forecast data. We conclude that Winsome is liable for a forfeiture in the amount of \$6,000.

**II. BACKGROUND**

2. On April 24, 2001, the Chief, Enforcement Bureau, acting pursuant to delegated authority, issued a *Notice of Apparent Liability for Forfeiture* (“NAL”) to Winsome, proposing a \$6,000 forfeiture.<sup>1</sup> We issued the NAL because it appeared that Winsome had failed to report on its actual and forecast number usage by filing FCC Form 502, the North American Numbering Plan Numbering Resource Utilization/Forecast (“NRUF”) Report that was due on September 15, 2000.<sup>2</sup> We therefore determined that Winsome had apparently violated section 52.15(f) of the Commission’s rules, which requires U.S. carriers receiving numbering resources from the North American Numbering Plan Administrator (“NANPA”), a Pooling Administrator, or another telecommunications carrier, to report

<sup>1</sup> See *Winsome Paging, Inc.*, 16 FCC Rcd 8684 (EB 2001).

<sup>2</sup> The NRUF reports are due on or before February 1 and on or before August 1 of each year. See 47 C.F.R. § 52.15(f)(6). However, we note that the deadline for filing reports due August 1, 2000 was extended to September 15, 2000. *Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 17005 (2000).

semiannually on their actual and forecast number usage.<sup>3</sup>

3. Pursuant to paragraph 15 of the *NAL*, we sent Winsome the *NAL* by certified mail. However, we did not receive the return receipt, which would have indicated delivery of the *NAL* to Winsome. Thus, we sent the *NAL* to Winsome again, by certified mail and by regular mail. The return receipt from our subsequent mailing reflects delivery of the *NAL* on June 8, 2001. Winsome has not responded to the *NAL*.

### III. DISCUSSION

4. Section 52.15(f) of the Commission's rules requires U.S. carriers to report semiannually on their utilization and forecast information for each separate legal entity represented by an Operating Company Number ("OCN").<sup>4</sup> It appeared that Winsome failed to file an NRUF report for one OCN, which was referenced in our *NAL*. We have not received a response from Winsome to suggest otherwise. Thus, we conclude that Winsome willfully violated section 52.15(f) and that imposition of the forfeiture is warranted.

### IV. ORDERING CLAUSES

5. Accordingly, IT IS ORDERED, pursuant to 47 U.S.C. § 503(b), and 47 C.F.R. § 0.111, 0.311 and 1.80, that Winsome Paging, Inc. FORFEIT to the United States the sum of six thousand dollars (\$6,000) for willfully violating the Commission's rules that require U.S. carriers to report actual and forecast number usage.

6. Payment of the forfeiture may be made by mailing a check or money order, payable to the order of the Federal Communications Commission, to the Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482, within 30 days of the release of this Forfeiture Order.<sup>5</sup> The payment must include the FCC Registration Numbers (FRN) and the NAL/Acct. No. referenced above. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to 47 U.S.C. § 504. A request for payment of the full amount of this Forfeiture Order under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

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<sup>3</sup> *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 99-200, 15 FCC Rcd 7574 (2000) ("*NRO Order*"); *recon. and clarification in part*, Second Report and Order, Order on Reconsideration in CC Docket 96-98 and CC Docket 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket 99-200, 16 FCC Rcd 306 (2000) ("*NRO Recon. Order*").

<sup>4</sup> See 47 C.F.R. § 52.15(f)(3)(ii). See also, *NRO Order*, 15 FCC Rcd at 7594; *NRO Recon. Order*, 15 FCC Rcd at 353-54.

<sup>5</sup> See 47 C.F.R. § 1.80(h).

<sup>6</sup> See 47 C.F.R. § 1.1914.

7. IT IS FURTHER ORDERED that a copy of this Forfeiture Order shall be sent by Certified Mail/Return Receipt Requested, to Winsome Paging, Inc., 429 Broadway, Bayonne, NJ 07002.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon  
Chief, Enforcement Bureau